

U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641

## CATEGORICAL EXCLUSION

**NUMBER:** DOI-BLM-CO-N05-2014-0123-CX

**CASEFILE/PROJECT NUMBER:** Amend COC74436 (CPS 1027)  
COC76726 (Temporary Use Permit for CPS 1027)  
COC76582 (Access Road for CPS 1710)

**PROJECT NAME:** NWP CPS 1027 TUP and CPS 1710 Access Road

**LEGAL DESCRIPTION:** Sixth Principal Meridian, Colorado  
T. 2 N., R. 103 W., } COC74436 and COC76726  
sec. 23, SE $\frac{1}{4}$ SW $\frac{1}{4}$ . }  
  
T. 2 S, R. 101 W., } COC76582  
sec. 33, SW $\frac{1}{4}$ NW $\frac{1}{4}$ . }

**APPLICANT:** Northwest Pipeline LLC

**DESCRIPTION OF PROPOSED ACTION:** Northwest Pipeline (NWP) has submitted applications for two existing cathodic protection sites (CPSs). The two sites are the previously authorized and installed CPS 1710 and CPS 1027 on the Igancio-Sumas pipeline. Temporary extra work space would be needed for activity associated with the new deepwell and anode bed at CPS 1027 and authorization of an existing access road to CPS 1710. NWP would use existing roads and the pipeline rights-of-way (ROWs) to access the CPS locations.

**CPS 1027:** NWP's existing CPS 1027, authorized in rights-of-way COC74436 (southwest of the pipeline) and COC11148-01 (northeast of the pipeline), has begun to fail. ROW COC74436 was issued on August 25, 2011 and expires on December 31, 2039, while ROW COC11148-01 expired June 21, 2014. ROW COC11148-01 is 295 ft long, 20 ft wide, and contains approximately 0.14 acres. Instead of renewing ROW COC11148-01 for CPS 1027, ROW COC74436 would be amended for the new deepwell and anode bed northeast of the pipeline. The three deepwells southwest of the pipeline (authorized in ROW COC74436) would be retired and reclaimed.

NWP proposes to drill a new deepwell and install a new replacement anode bed. The new anode bed would be installed directly adjacent to the existing anode bed within the previously authorized and granted area in ROW COC11148-01 for CPS 1027. NWP would drill a new deepwell approximately 217 ft from the 26-inch Ignacio-Sumas pipeline. NWP requests an

additional 10 ft on either side of the existing 20 ft wide ROW for the anode bed for a permanent width of 40 ft. Temporary work space would be needed to drill the new deepwell. NWP would be issued a temporary use permit for installation of the new deepwell. The area would be 150 ft by 150 ft around the new deepwell.

The permanent ROW for CPS 1027 northeast of the pipeline would be 247 ft long, 40 ft wide, and contain approximately 0.23 acres. A temporary use permit would be issued for the 150 ft by 150 ft (0.52 acres) around the new deepwell.

**CPS 1710:** Questar InfoComm has requested relinquishment of the Little Horse Draw/Douglas Creek communications site (authorized in ROW COC34268). The area has been reclaimed; however the access road provides access to NWP's existing CPS 1710. NWP's Sand Springs meter station (ROW COC45758) includes access from Highway 139 to the meter station, however there is no permanent access for CPS 1710. Instead of reclaiming the existing access road to the Little Horse Draw/Douglas Creek communications site, the existing access road would be authorized as permanent access to CPS 1710. The access road would be 921 ft long, 12 ft wide, and contain approximately 0.25 acres.

**PLAN CONFORMANCE REVIEW:** The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5-3, BLM 1601.08) the following plan:

**Name of Plan:** White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

**Date Approved:** July 1, 1997

**Decision Number/Page:** Page 2-49

**Decision Language:** "To make public lands available for the siting of public and private facilities through the issuance of applicable land use authorizations, in a manner that provides for reasonable protection of other resource values."

**CATEGORICAL EXCLUSION REVIEW:** The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, E19 and E16: "*Issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary, sites, and construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition*" and "*Acquisition of easements for an existing road or issuance of leases, permits, or rights-of-way for the use of existing facilities, improvements, or sites for the same or similar purposes.*"

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by the bureau.		X
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations.		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

#### INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 9/9/2014. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	9/9/2014
Ed Hollowed	Wildlife Biologist	Special Status Wildlife Species	9/18/2014
Justina Thorsen	Ecologist	Special Status Plant Species	9/22/2014

#### REMARKS:

**Cultural Resources:** ROW COC74436 - The proposed CPS anode well and work area have been recently inventoried at the Class III (100 percent pedestrian) level (Kintz *et al* 2013, compliance dated 1/8/2014; and Nelson 2010, compliance dated 1/6/2010). The closest known site is the well pad, recorded as site 5RB.7560, a still working feature and not considered eligible for individual nomination to the National Register of Historic Places (NRHP). Since the well is in active use the presence of a new anode well in close proximity will not result in any adverse impacts to known cultural resources. Unless there were previously undetected subsurface remains, there would be no new impacts to known cultural resources that are eligible for nomination to the NRHP.

ROW COC76582 - The area of the proposed access road ROW to the 1710 cathodic protection station is covered by all or portions of at least five known recent inventories (Conner and Davenport 2005, compliance dated 7/12/2005; Fetterman 1994, compliance dated 9/15/1994; 2005, compliance dated 9/23/2005; Fleming 2005, compliance dated 8/24/2005; and Reust 1990, compliance dated 10/4/1991). There two known sites in the vicinity, but since no new ground disturbance is authorized or anticipated, there should be no new impacts to any of the resources known to be in the vicinity of the ROW.

**Native American Religious Concerns:** No Native American religious concerns are known in the area, and none have been noted by Northern Ute Tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

**Paleontological Resources:** ROW COC74436 - The proposed new anode bed is located in an area generally mapped as Mancos shale (Tweto 1979), which is known to produce vertebrate marine fossil in other areas. However, there are no currently known vertebrate fossil that have been recovered from Mancos shale in Rio Blanco County (c. Armstrong and Wolny 1989). There is a potential to impact fossils, particularly marine fossils, should there be any excavation into the underlying sedimentary rock formations. Drilling an anode well represents a definite impact to fossil resources; however it is not technically feasible to monitor drilling to identify and/or analyze any fossils that might be present in the bore. Any impacts to fossils would likely represent a cumulative added long term, permanent, irreversible, and irretrievable loss of scientific data.

ROW COC76582 - The proposed access road the cathodic protection station is in an area generally mapped as the Sego Sandstone, buck Tongue of the Mancos Shale, and Castlegate sandstone which the BLM has categorized as a Potential Fossil Yield Classification (PFYC) 3

formation indicating that its fossil bearing potential is not well established or understood in the WRFO (c. Armstrong and Wolny 1989). Since there is no new ground disturbance anticipated for the ROW, there should be no new impacts to any fossils that might be present.

*Special Status Wildlife Species:* There are no wildlife-related issues or concerns. Both sites are industrialized and are situated in areas subject to consistent activity from fluid mineral development or public highway corridors. CPS 1027, located in Coal Oil Basin, is broadly encompassed by a large white-tailed prairie dog complex that holds potential for supporting members of a reintroduced population of black-footed ferret. This potential is considered very low. Ferret use of the Coal Oil Basin has not been indicated since recovery efforts began in 2001 and epizootic disease swept through northwest Colorado in 2009/2010 and killed virtually all ferrets associated with WRFO's fledgling reintroduction program. There have been no recovery efforts applied to the Wolf Creek or Coyote Basin ferret management areas since that time. Further, the site proposed for CPS 1027 is not occupied by prairie dogs; the nearest historically occupied prairie dog habitat is no closer than 180 meters from activity associated with its installation. Likewise, there is no information suggesting that burrowing owls have made nesting use of this locale; the nearest nesting activity that WRFO is aware of was noted on private land about 1.7 miles from the Proposed Action.

*Special Status Plant Species:* There are no special status plant species issues or concerns associated with the Proposed Action. The nearest occurrence of special status plants is approximately 2.5 miles to the east in the Raven Ridge Area of Critical Environmental Concern.

#### REFERENCES CITED:

Conner, Carl E., and Barbara J. Davenport

- 2005 Class III Cultural Resource Inventory Report for Six Proposed Reroutes of the EnCana Meeker Pipeline in Rio Blanco County, Colorado for Trigon EPC. Grand River Institute, Grand Junction, Colorado. (05-11-10: OAHP # RB.LM.R830)

Fetterman, Jerry

- 1994 Class III Inventory Conducted for Northwest pipeline Corporation's Sand Springs Receipt Meter Station Rio Blanco County, Colorado. Woods Canyon Archaeological Consultants, Inc., Yellow Jacket Colorado. (94-71-03: OAHP # RB.LM.NR776)
- 20015 Cultural Resource Survey of Two CPS Sites in Rio Blanco County, Colorado. Woods Canyon Archaeological Consultants, Inc., Yellow Jacket, Colorado. (05-71-02: OAHP # RB.LM.NR1749)

Fleming, Nathan

- 2005 A Class III Cultural Resources Inventory of Williams Gas pipeline's Ignacio-Sumas Pipeline MP262 Cathodic ProtectiOn Project, Rio Blanco County, Colorado. (05-22-04: OAHP # RB.LM.NR1737)

Kintz, Kimberly, Nicole Sauvageau Rockwell, Jeanna Hill, Patrick O'Brien, Naomi Rintoul, Stephanie J. Slaughter and Erin Watkins

- 2013 Chevron Corporation BLM Block Survey Phase I: A Class III Cultural Resource Inventory and Historical analysis for BLM-Managed Land in the Rangely unit, Rio Blanco County, Colorado. Metcalf Archaeological Consultants, Inc., Grand Junction, Colorado. (13-54-02: OAH # RB.LM.R1322)

Nelson, Zachary

- 2010 A Class III Cultural Resource Inventory for Three CPS Locations, Rio Blanco County, Colorado. Entrix, Inc., Salt Lake City, Utah. (10-174-01: OAH # RB.LM.NR2209)

Reust, Thomas P.

- 1990 A Class III Cultural Resource Inventory of proposed Buried Cable Route. Project No. CS-952V (Rangely Exchange) Rio Blanco County, Colorado. Mariah Associates, Inc., Laramie, Wyoming. (91-22-01 OAH # RB.LM.R133)

Tweto, Ogden

- 1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

#### MITIGATION:

1. The holder shall conduct all activities associated with the operation and termination of the right-of-way within the authorized limits of the right-of-way.
2. At least 90 days prior to termination of the right-of-way, the holder shall contact the Authorized Officer to arrange a joint inspection of the right-of-way. The inspection will result in the development of an acceptable termination and rehabilitation plan submitted by the holder. This plan shall include, but is not limited to, removal of facilities, drainage structures, and surface material; recontouring; topsoiling; or seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.
3. The holder will be responsible for monitoring the right-of-way for occurrence of noxious weeds for the life of the project and appropriately treating weeds present. The holder will implement an integrated weed management plan according to BLM Manual 9015-Integrated Weed Management (BLM 1992). The weed management plan will include the submission of a Pesticide Use Proposal (PUP) to the BLM for the use of herbicides appropriate for control/eradication of the known noxious and invasive species along the proposed ROW including the species listed above. The PUP shall be filed in a timely manner such that weed treatment can begin in the first growing season after construction. Each fall the holder must submit a Pesticide Application Report (PAR) listing all weed treatments that occurred in association with this project.

4. All construction activity shall cease when soils or access routes become saturated to a depth of three inches unless there are safety concerns or activities are otherwise approved by the authorized officer.

---

5. In order to protect public land health standards for soils, erosion features such as rilling, gully, piping and mass wasting on the surface disturbance or adjacent to the surface disturbance as a result of this action will be addressed immediately after observation by contacting the AO and by submitting a plan to assure successful soil stabilization with BMPs to address erosion problems.

6. As a reasonable and prudent ROW holder acting in good faith, the holder will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the BLM WRFO (970) 878-3800.

---

7. As a reasonable and prudent ROW holder, acting in good faith, the holder will provide for the immediate clean-up and testing of air, water (surface and/or ground), and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the holder fails, refuses, or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground), and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the BLM WRFO may take measures to clean-up and test air, water (surface and/or ground), and soils at the holder's expense. Such action will not relieve the holder of any liability or responsibility.

8. Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, the holder will provide a current copy of said plan to the BLM WRFO.

9. Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

10. Comply with all Federal, State and/or local laws, rules and regulations, including but not limited to onshore orders and notices to lessees, addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment. All spills or leakages of oil, gas, produced water, toxic liquids or waste materials, blowouts, fires, shall be reported by the operator in accordance with the regulations and as prescribed in applicable orders or notices.

11. The holder shall be responsible for achieving a reclamation success rate equal to a minimum cover and composition of 80 percent of the Desired Plant Community (as defined by the ecological site, in an early-seral state) or in relation to the seed mix applied within three growing seasons after the application of seed. This community must be capable of persisting on the site without intervention and allow for successional processes consistent with achieving the seral



stage on the site prior to surface disturbance.

12. Reclamation achievement will be evaluated using the Public Land Health Standards that include Indicators of Rangeland Health. If BLM determines that reclamation success is below an acceptable level, reclamation efforts must be repeated at the holder's expense until vegetation is successfully established.

13. In accordance with the 1997 White River RMP/ROD, all trees removed in the process of construction shall be purchased from the BLM.

14. Trees that must be removed for construction shall be cut down to a stump height of six inches or less prior to heavy equipment operation. These trees shall be cut in four foot lengths (down to four inches diameter) and placed in manageable stacks immediately adjacent to a public road to facilitate removal for company use or removal by the public. Branches from cut trees will be scattered throughout the project area making sure not to creating a stockpile of wood debris.

15. All activities would be required to comply with all applicable local, state, and federal laws, statutes, regulations, standards, and implementation plans. This would include acquiring all required State and Rio Blanco County permits, implementing all applicable mitigation measures required by each permit, and effectively coordinating with existing ROW holders.

16. All construction and vehicular traffic shall be confined to the right-of-way or designated access routes, roads, or trails unless otherwise authorized in writing by the authorized officer. All temporary roads used for construction shall be rehabilitated after construction is completed.

17. The holder is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.

18. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The holder will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The holder, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

19. Pursuant to 43 CFR 10.4(g), the holder must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.



20. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.

21. If any paleontological resources are discovered as a result of operations under this authorization, the holder or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the holder will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The operator will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Stacey Burke

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

COMPLIANCE WITH NEPA:

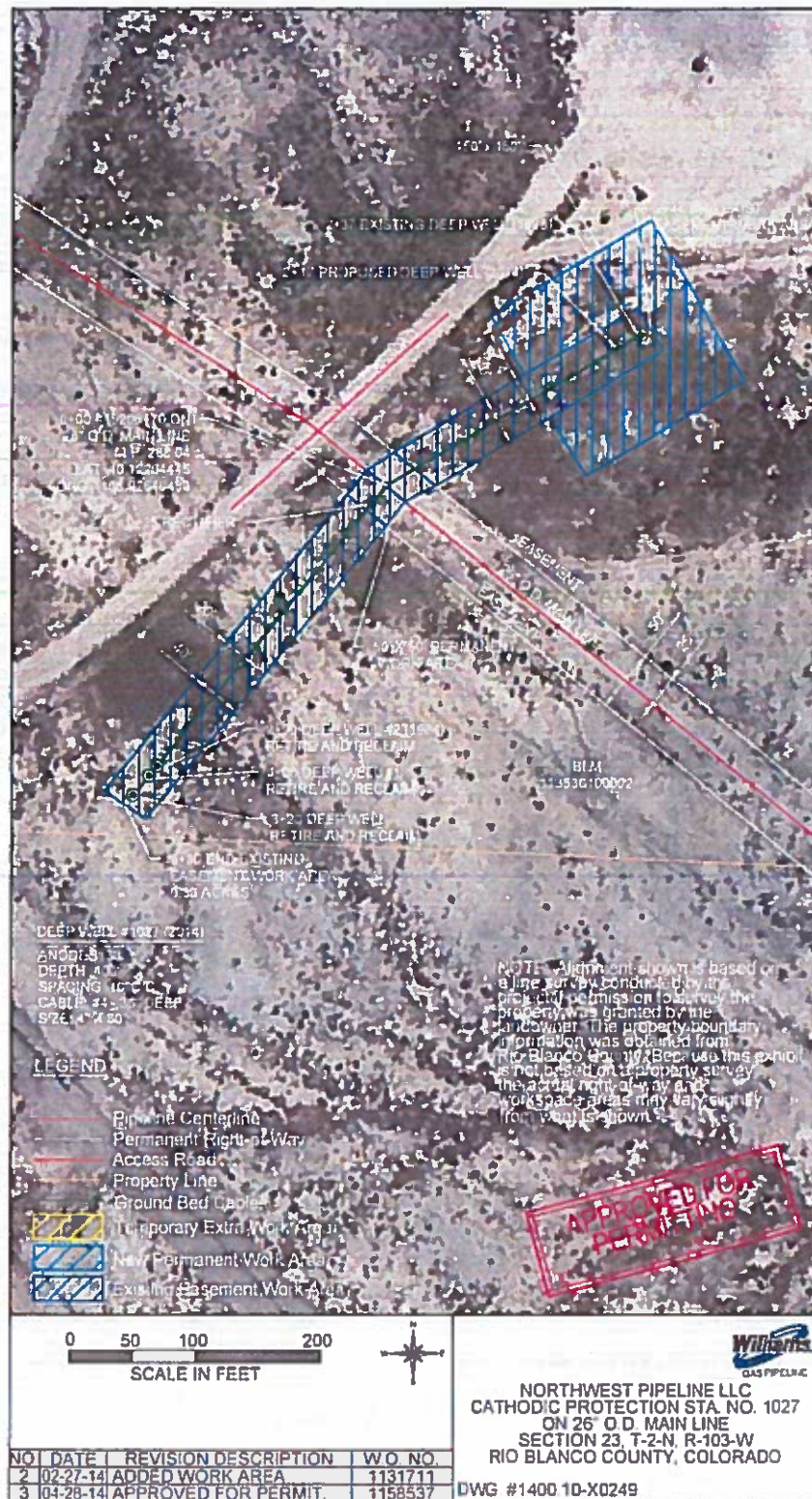
The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E19 and E16. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

SIGNATURE OF AUTHORIZED OFFICIAL:

  
Acting Field Manager

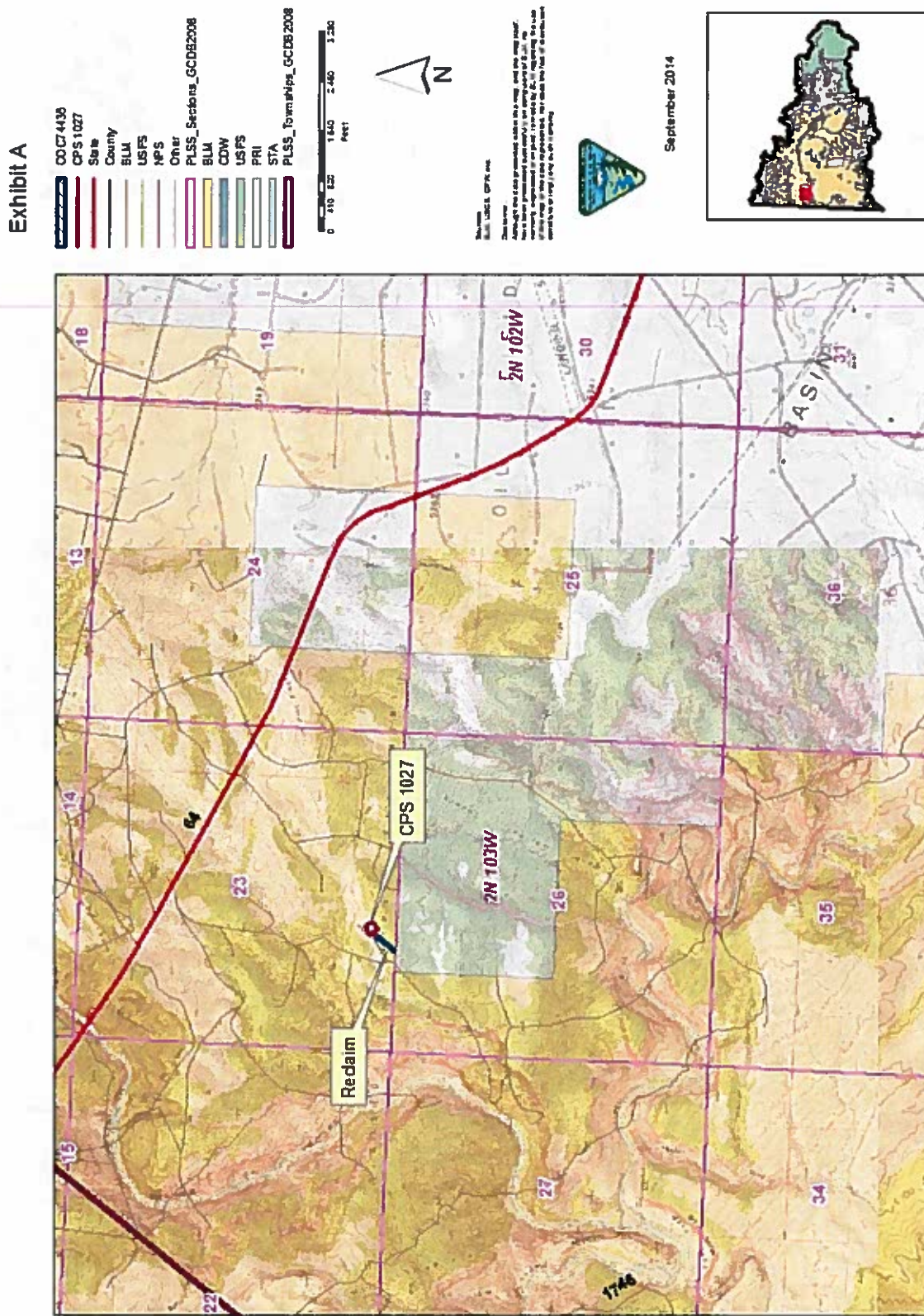
DATE SIGNED: 10/22/14

ATTACHMENTS: Exhibit A – Maps of Proposed Action



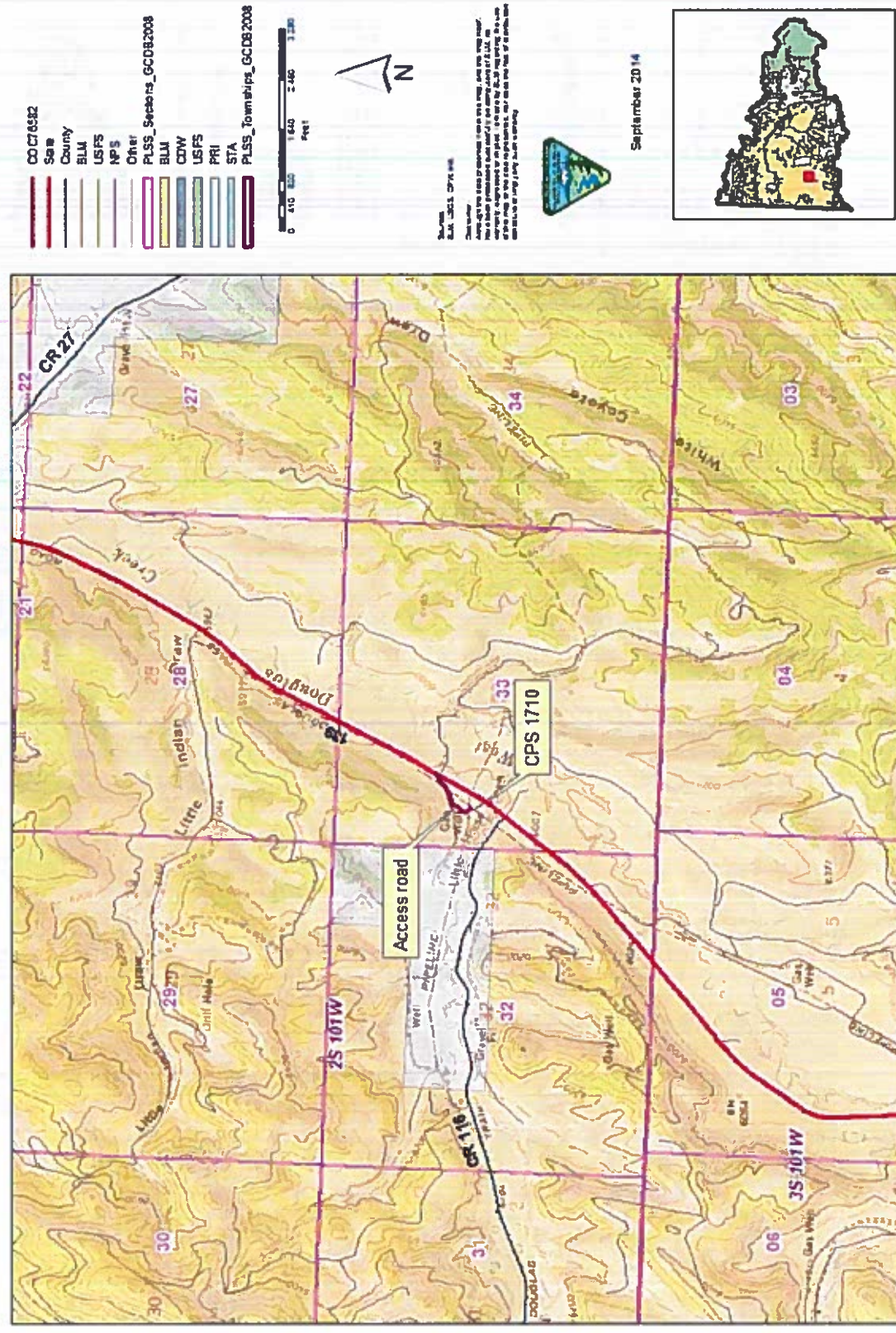


# Catholic Protection Site 1027





## Exhibit A



**U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641**

**DECISION RECORD**

**PROJECT NAME:** NWP CPS 1027 TUP and CPS 1710 Access Road

**CATEGORICAL EXCLUSION NUMBER:** DOI-BLM-CO-N05-2014-0123-CX

**DECISION**

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-N05-2014-0123-CX, authorizing the construction, operation, and maintenance of temporary work areas for CPS 1027 and use of an existing access road to CPS 1710.

**Mitigation Measures**

1. The holder shall conduct all activities associated with the operation and termination of the right-of-way within the authorized limits of the right-of-way.
2. At least 90 days prior to termination of the right-of-way, the holder shall contact the Authorized Officer to arrange a joint inspection of the right-of-way. The inspection will result in the development of an acceptable termination and rehabilitation plan submitted by the holder. This plan shall include, but is not limited to, removal of facilities, drainage structures, and surface material; recontouring; topsoiling; or seeding. The Authorized Officer must approve the plan in writing prior to the holder's commencement of any termination activities.
3. The holder will be responsible for monitoring the right-of-way for occurrence of noxious weeds for the life of the project and appropriately treating weeds present. The holder will implement an integrated weed management plan according to BLM Manual 9015-Integrated Weed Management (BLM 1992). The weed management plan will include the submission of a Pesticide Use Proposal (PUP) to the BLM for the use of herbicides appropriate for control/eradication of the known noxious and invasive species along the proposed ROW including the species listed above. The PUP shall be filed in a timely manner such that weed treatment can begin in the first growing season after construction. Each fall the holder must submit a Pesticide Application Report (PAR) listing all weed treatments that occurred in association with this project.
4. All construction activity shall cease when soils or access routes become saturated to a depth of three inches unless there are safety concerns or activities are otherwise approved by the authorized officer.
5. In order to protect public land health standards for soils, erosion features such as rilling, gully, piping and mass wasting on the surface disturbance or adjacent to the surface disturbance as a result of this action will be addressed immediately after observation by

contacting the AO and by submitting a plan to assure successful soil stabilization with BMPs to address erosion problems.

6. As a reasonable and prudent ROW holder acting in good faith, the holder will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the BLM WRFO (970) 878-3800.

7. As a reasonable and prudent ROW holder, acting in good faith, the holder will provide for the immediate clean-up and testing of air, water (surface and/or ground), and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the holder fails, refuses, or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground), and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the BLM WRFO may take measures to clean-up and test air, water (surface and/or ground), and soils at the holder's expense. Such action will not relieve the holder of any liability or responsibility.

8. Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, the holder will provide a current copy of said plan to the BLM WRFO.

9. Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

10. Comply with all Federal, State and/or local laws, rules and regulations, including but not limited to onshore orders and notices to lessees, addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment. All spills or leakages of oil, gas, produced water, toxic liquids or waste materials, blowouts, fires, shall be reported by the operator in accordance with the regulations and as prescribed in applicable orders or notices.

11. The holder shall be responsible for achieving a reclamation success rate equal to a minimum cover and composition of 80 percent of the Desired Plant Community (as defined by the ecological site, in an early-seral state) or in relation to the seed mix applied within three growing seasons after the application of seed. This community must be capable of persisting on the site without intervention and allow for successional processes consistent with achieving the seral stage on the site prior to surface disturbance.

12. Reclamation achievement will be evaluated using the Public Land Health Standards that include Indicators of Rangeland Health. If BLM determines that reclamation success is below an acceptable level, reclamation efforts must be repeated at the holder's expense until vegetation is successfully established.



13. In accordance with the 1997 White River RMP/ROD, all trees removed in the process of construction shall be purchased from the BLM.

14. Trees that must be removed for construction shall be cut down to a stump height of six inches or less prior to heavy equipment operation. These trees shall be cut in four foot lengths (down to four inches diameter) and placed in manageable stacks immediately adjacent to a public road to facilitate removal for company use or removal by the public. Branches from cut trees will be scattered throughout the project area making sure not to creating a stockpile of wood debris.

15. All activities would be required to comply with all applicable local, state, and federal laws, statutes, regulations, standards, and implementation plans. This would include acquiring all required State and Rio Blanco County permits, implementing all applicable mitigation measures required by each permit, and effectively coordinating with existing ROW holders.

16. All construction and vehicular traffic shall be confined to the right-of-way or designated access routes, roads, or trails unless otherwise authorized in writing by the authorized officer. All temporary roads used for construction shall be rehabilitated after construction is completed.

17. The holder is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.

18. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The holder will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The holder, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

19. Pursuant to 43 CFR 10.4(g), the holder must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

20. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.

21. If any paleontological resources are discovered as a result of operations under this

authorization, the holder or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the holder will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

#### **COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN**

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

#### **PUBLIC INVOLVEMENT**

The BLM informed the public about this project by listing it on the online WRFO NEPA Register on 9/15/2014 and a copy of the completed CX will be posted on the WRFO website.

#### **RATIONALE**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E19 and E16. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply. Approval of the recoats keeps the pipelines in safe working order.

#### **ADMINISTRATIVE REMEDIES**

This decision shall take effect immediately upon the date it is signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a Notice of Appeal must be filed in the office of the Authorized Officer at White River Field Office, 220 East Market St., Meeker, CO 81641 with copies sent to the Regional Solicitor, Rocky Mountain Region, 755 Parfet St., Suite 151, Lakewood, CO 80215, and to the Department of the Interior, Board of Land Appeals, 801 North Quincy St., MS300-QC, Arlington, VA, 22203. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals at the above address within 30 days after the Notice of Appeal is filed with the Authorized Officer.

**SIGNATURE OF AUTHORIZED OFFICIAL:**

  
Acting Field Manager

**DATE SIGNED:** 10/22/14